

REMARKS

In the Advisory Action dated Office March 26, 2009, the rejection of claims 1 and 3-6 under 35 U.S.C. §103(a) was maintained because the claims are still considered obvious over U.S. Patent No.: 6,143,405 to Palmgren (“Palmgren”) in view of U.S. Patent No.: 4,422,917 to Hayfield (“Hayfield”). In finding Applicants’ previous response not convincing, the Advisory Action states that the Examiner is not relying on the high temperature process conditions disclosed in Hayfield but is instead relying only on the conductivity data on the oxidation states of titanium disclosed in Hayfield.

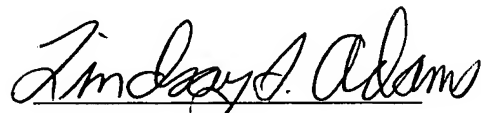
As an initial matter, Applicants resubmit that the reasons for a lack of a *prima facie* case of obviousness set forth in the response filed March 9, 2009 are still applicable to the present application. First, no motivation is set forth for making the combination in the first place other than the assertion “it would have been obvious to one of ordinary skill in the art” to combine the cited portions of Palmgren with the cited portions of Hayfield. Second, there is no reasonable expectation of success of achieving the claimed invention from the cited prior art especially in view of the Hayfield’s high temperature process conditions.

In addition, Applicants respectfully submit that the reliance of Hayfield for data conductivity alone is not proper for a *prima facie* case of obviousness. Specifically, the teachings of Hayfield in its “entirety” must be considered when determining obviousness and not just those portions that support the prior art rejection. Otherwise, an Examiner is just picking and choosing from the reference teachings, which is basically a hindsight analysis. If the high temperature process conditions of Hayfield are to be disregarded, there must be some “rationale” as to why one skilled in the art would disregard these process conditions but then focus on the conductivity data that supports the prior art rejection. Stated otherwise, why would one skilled

in the art just focus on the conductivity data of Hayfield when evaluating the Hayfield's usefulness for achieving the claimed invention? If one skilled in the art is planning to coat a polymeric fiber sheet with an oxide, wouldn't one skilled in the art be concerned with temperatures exceeding 1000°C that would decompose the polymeric fiber sheet? The obvious answer is yes. Moreover, if the new criteria for obviousness now allows an Examiner to pick and choose from the teachings of a reference, Applicants respectfully requests the Examiner to point out where in the MPEP is there support for this proposition. Thus, for the above reasons, Applicants respectfully request the rejection of claims 1 and 3-6 be withdrawn.

Enclosed with this response are a request for continued examination, a request for a three (3) month extension of time, and the requisite fees. Applicants do not believe that any additional fees are due with this response. However, if any additional fees are due, please charge such sums to our Deposit Account, 50-1145.

Respectfully submitted,



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